UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

In re:	:	
	:	
Leigh Ann Jackson	:	**Case No.: 17-50199**
	:	**Chapter 13**
Debtor(s).	:	**Judge John E. Hoffman Jr.**
	:	*** ***
	:	
	:	

OBJECTION TO CONFIRMATION OF PLAN (DOCKET NUMBER 5)

Now comes PNC Bank, National Association ("Creditor") by and through its attorneys, Manley Deas Kochalski LLC, and objects to confirmation of the Chapter 13 plan of Leigh Ann Jackson ("Debtor"). For the reasons which follow, confirmation should be denied.

MEMORANDUM IN SUPPORT OF OBJECTION

Creditor is a creditor herein secured by a first mortgage lien upon the Debtor's real estate located at 7469 Whigham Court, Dublin, OH 43016. The Debtor’s Chapter 13 Plan is not feasible as the proposed monthly plan payment of $2,450.00 is insufficient to pay the ongoing post-petition monthly conduit mortgage payments in the current amount of $2,316.13 plus cure the estimated pre-petition arrearage in the amount of $32,847.70 (as will be set forth in Creditor’s proof of claim to be filed on/before the May 23, 2017 claims bar date). To be feasible, the plan payment must be increased from $2,450.00 to at least $2,863.59 per month.

In addition, Creditor objects to said treatment and asserts that, as of the petition date herein, Creditor's claim was fully secured by value in the real estate. Accordingly, § 1322(b)(2) of the Bankruptcy Code and the United States Supreme Court's holding in Nobleman v.

American Savings Bank (In re: Nobleman), 508 U.S. 324 (1993) prohibit the Debtor's proposed modification of Creditor's mortgage.

WHEREFORE, Creditor respectfully requests the Court to deny confirmation of the Debtor's proposed Chapter 13 Plan.

Respectfully submitted,

/s/ Adam B. Hall

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The case attorney for this file is Adam B. Hall.
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Objection to Confirmation was **electronically** through the court's ECF System at the email address registered with the court:

Office of U.S. Trustee, Southern District of Ohio, Party of Interest, 170 North High Street, #200, Columbus, OH 43215

Faye D. English, 10 West Broad Street, Suite 900, Columbus, OH 43215, faye.english@ch13columbus.com

James E. Nobile, Attorney for Leigh Ann Jackson, Nobile & Thompson Co., L.P.A., 4876 Cemetery Road, Hilliard, OH 43026, lahennessy@ntlegal.com

and by ordinary U.S. mail on February 1, 2017 addressed to:

Leigh Ann Jackson, 7469 Whigham Court, Dublin, OH 43016

/s/ Adam B. Hall
Adam B. Hall